GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

STARRED QUESTION NO:21
ANSWERED ON:24.07.2001
CUSTODIAL DEATHS
P.R. KHUTE

Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Union Government are aware that the incidents of deaths in police custody are increasing and inhuman treatment is being meted out to the detenues by the police in many States;

(b) if so, whether the Union Government propose to issue any directions to the States in this regard for the purpose of improving the situation and checking such incidents; and

(c) if so, the details thereof ?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (I.D. SWAMI)

(a) to (c): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF LOK SABHA STARRED QUESTION No.21 DUE FOR ANS ON 24.7.2001

The statistics made available by the National Human Rights Commission reveal that the instances of deaths in police custody during the last 3 years i.e. 1998-99, 1999-2000 and 2000-2001 were 180, 177 and 127 respectively. Thus, the incidents of custodial deaths are not on the increase. Yet, there is no denying the fact that reports are received, from time to time, regarding incidents of inhuman treatment of the detenues in police custody. This happens despite Constitutional and statutory safeguards for the right to life and liberty of the citizen.

The Government of India has issued guidelines to the State Governments and Union Territory Administrations to ensure that the police behave in a humane manner and that all cases of alleged custodial deaths, torture and other excesses are enquired into and dealt with firmly. The directions issued by the Hon`ble Supreme Court of India, in its judgement dated 18th December, 1996 in Criminal Writ Petition No.53 of 1986 and Criminal Writ Petition No.592 of 1987, with regard to effecting arrests and conducting interrogation, have also been circulated inter alia to all State Governments and Union Territory Administrations.`Police` being a State subject, the said guidelines and directions are to be implemented mainly by the State Governments.

As a medium and long-term measure, special emphasis is being laid on `human rights` in the training curricula of police personnel at all levels. `Induction` and `in-service` training programmes also include special inputs to sensitise the police personnel about the use of scientific methods for investigation.